

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

No claims are currently being cancelled.

Claims 1, 2 and 10 are currently being amended.

Claims 14-16 are currently being added.

This amendment amends and adds claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending and adding the claims as set forth above, claims 1-16 are now pending in this application.

Clarification Requested Concerning Objection to Abstract:

In the Office Action, the Abstract was objected to because it allegedly included a phrase “A method of forwarding a network packet is described.” Applicant’s representative has reviewed the Abstract, and submits that: a) no such phrase exists in the Abstract, and b) the Abstract appears to fully conform the requirements set forth in the M.P.E.P. Clarification is respectfully requested.

Request for Indication of Consideration of Information Disclosure Statements:

Applicant filed three Information Disclosure Statements (IDSs), one on April 21, 2003, one on July 29, 2003, and one on April 20, 2004, whereby the Office Action did not include an initialed copy of the respective PTO Form SB/08 submitted with each of those IDSs. It is respectfully requested that such an initialed copy of the PTO Form SB/08 for each of these three IDSs be included in the next PTO correspondence.

Claim Rejections – Prior Art:

In the Office Action, claims 1-10 (it is believed that this rejection was meant to include claims 11-13, which were added in a preliminary amendment filed on August 2,

2001) were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,790,538 to Sugar. This rejection is traversed with respect to the presently pending claims under rejection, for at least the reasons given below.

In Sugar, as explained in column 9, lines 16-41 of that reference, a resampler 8 synchronizes the incoming frequency to match the outgoing frequency, whereby data exiting the resampler 8 at clock rate f_{local} is equal to the date entering the D/A 34 at the local clock rate f_{local} . As is clear from this description of the resampler 8 and from Figure 7 of Sugar, the resampler 8 does not perform clock control of a data generator and a data reproducer, as explicitly recited in claim 1.

Furthermore, the Office Action asserts that the PCM Codec shown in Figure 7 of Sugar corresponds to the claimed transmission buffer, whereby this assertion is incorrect. Namely, the PCM Codec of Figure 7 of Sugar includes an A/D 32 and a D/A 34, neither of which corresponds to a “buffer” (that is, neither the A/D 32 nor the D/A 34 ‘buffers’ data, but rather they ‘convert’ data from analog to digital, or vice versa). However, in the interest of expediting prosecution, claim 1 has been amended to recite a transmission buffer and a plurality of reception buffer stages connected to an output port of the data generator and an input port of the data reproducer, respectively. Thus, even if the PCM Codec of Figure 7 of Sugar could be construed as a transmission buffer (which Applicant strongly disagrees with), the PCM Codec is connected to an input port of the Voice Encode unit 50 (by way of an Echo Canceler 48), and not to its output port.

Accordingly, claim 1 is not anticipated by Sugar.

Presently pending independent claim 2 has been amended in a manner similar to the amendments made to claim 1, and that claim is also not anticipated by Sugar.

As to independent claim 7, that claim recites a transmission buffer that receives the generated data output by a data generator. The Office Action asserts that the claimed data generator corresponds to the Voice Encode Unit 50 of Figure 7 of Sugar, and that the transmission buffer corresponds to the PCM Codec of Figure 7 of Sugar. However, this assertion is incorrect, since the PCM Codec of Figure 7 of Sugar provides data to the Voice Encode Unit, and not the other way around.

Therefore, claim 7 is not anticipated by Sugar.

The dependent claims are patentable due to their dependencies on either claim 1, 2 or 7, as well as for the specific features recited in those dependent claims. For example, with respect to claim 7, the Office Action asserts that the resampler 8 of Sugar performs estimating of the sampling clock frequency based on data received from an asynchronous transmission line. However, as clearly seen in Figure 7 of Sugar, the resampler 8 receives data that has been processed, that is, data that has been decoded by a voice decoder 4, by the terminal, and thus it does not meet the features recited in claim 10 by which the sampling clock frequency of one terminal is made closer to the sampling clock frequency of another terminal by estimating the sampling clock on the basis of the data received directly from the asynchronous transmission line without having been processed in any manner by the one terminal.

New Claims:

New claims 14-16 have been added to recite additional features of the present invention that are believed to provide a separate basis for patentability of these claims. Support for such features may be found, for example, on page 10 of the specification.

Conclusion:

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By Phillip J. Articola

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5407
Facsimile: (202) 672-5399

David A. Blumenthal
Registration No. 26,257

Phillip J. Articola
Registration No. 38,819